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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/050,841	03730/98	CALLAGHAN	P EN998017

LMC1/0719

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0827.030

FINAL

EXAMINER
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ART UNIT	PAPER NUMBER
2761	7

DATE MAILED: 07/19/00
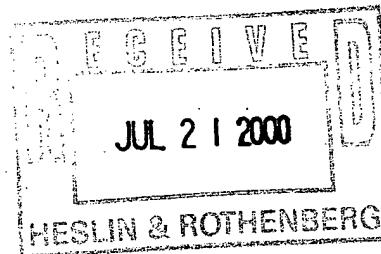
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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DOCKETED 1/19/01

PTO-90C (Rev. 2/95)

	Application No.	Applicant(s)
Office Action Summary	09/050,841	Callaghan et al.
	Examiner	Group Art Unit
	Tongoc Tran	2761

☒ Responsive to communication(s) filed on _amendment filed on 5/1/2000_

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3___ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _1-50_____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _1-50_____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- *SEE OFFICE ACTION ON THE FOLLOWING PAGES* ---

DETAILED ACTION

1.   This Office Action is in response to Applicant's Amendment filed on 3/30/2000. Claims

10, 18, 30, 38, 47 and 50 are amended. Claims 1-50 are presented for examination.

Claim Rejections - 35 USC § 102

2)   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3)   Claim 1-4, 6, 7, 22-24, 26, 27, 42-46 are rejected under 35 U.S.C. 102(a) as being by

anticipated by Rosenberg (WO 98/09447).

A)   Regarding to claim 1, Rosenberg discloses a method of sharing state information, said

method comprising:

determining state information to be shared between a first domain and a second domain

(see page 4, lines 18-23); and

sharing said state information between said first domain and said second domain, wherein

said first domain and said second domain are non-cooperating (see page 4, lines 18-27, page 7,

lines 1-8 and lines 20-23, cooperating server here refers to web site servers observing the

common protocol. In the World Wide Web, it is inherently required that servers use the common

protocol across distinct domain if information is to transfer from one server to the other, even

servers across domain that are not cooperating to each other still needs to use common protocol

in order to share information).

B)   Regarding to claim 2, Rosenberg discloses the method of sharing state information as set

forth in claim 1, Rosenberg further discloses said state information is stored within one or more

cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

C)   Regarding to claim 3, Rosenberg discloses the method of sharing state information as set

forth in claim 1. Rosenberg further disclose said first domain and said second domain are disjoint

domain (see page 4, lines 22-23).

D)   Regarding to claim 4, Rosenberg discloses the method of sharing state information as set

forth in claim 1. Rosenberg further discloses said sharing comprises:

        adding state information of said first domain to a request to be sent to said second domain

and sending said request, including said state information, to said second domain (see page 4,

lines 18-27).

E)   Regarding to claim 6, Rosenberg discloses the method of sharing the state information as

set forth in claim 1. Rosenberg further disclose said sharing comprises:

adding state information of said first domain to a response associated with said second

domain; and sending said response, including said state information, to a client (see page 4, lines

24-30).

F)   Regarding to claim 7, Rosenberg discloses the method of sharing the state information as

set forth in claim 6. Rosenberg further discloses said sharing further comprises saving said state

information at said client, wherein said state information is saved for a specified range of Uniform

Resource Locators associated (URL) with said second domain (see page 12, lines 8-10).

G)   Regarding to claim 22, Rosenberg discloses a system of sharing state information, said

system comprising:

        means for determining state information to be shared between a first domain and a second

domain (see page 4, lines 18-23); and

        means for sharing said state information between said first domain and said second

domain, wherein said first domain and said second domain are non-cooperating (see page 4, lines

18-27, page 7, lines 1-8 and lines 20-23, cooperating server here refers to web site servers

observing the common protocol. In the World Wide Web, it is inherently required that servers use

the common protocol across distinct domain if information is to transfer from one server to the

other, even servers across domain that are not cooperating to each other still needs to use

common protocol in order to share information).

H)   Regarding to claim 23, Rosenberg discloses the system of sharing state information as set

forth in claim 22, Rosenberg further discloses said state information is stored within one or more

cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

I)   Regarding to claim 24, Rosenberg discloses the system of sharing state information as set

forth in claim 22. Rosenberg further discloses said means of sharing comprises:

        means for adding state information of said first domain to a request to be sent to said

second domain and means for sending said request, including said state information, to said

second domain (see page 4, lines 18-27).

J)   Regarding to claim 26, Rosenberg discloses the system of sharing state information as set

forth in claim 22. Rosenberg further discloses said means of sharing comprises:

        means for adding state information of said first domain to a response associated with said

second domain and means for sending said response, including said state information, to a client

(see page 4, lines 18-27).

K)   Regarding to claim 27, Rosenberg discloses the system of sharing the state information as

set forth in claim 26. Rosenberg further discloses said client is adapted to save said state

information at said client, wherein said state information is saved for a specified range of Uniform Resource Locators associated (URL) with said second domain (see page 12, lines 8-10).

L)   Regarding to claim 42, Rosenberg discloses an article of manufacture, comprising:

at least one computer useable medium having computer readable program code means embodied therein for causing the sharing of state information, the computer readable program code means in said article of manufacture comprising:

computer readable program code mean for causing a computer to determine state information to be shared between a first domain and a second domain (see page 4, lines 18-23); and

computer readable program code means for causing a computer to share said state information between said first domain and said second domain, wherein said first domain and said second domain are non-cooperating (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23, cooperating server here refers to web site servers observing the common protocol. In the World Wide Web, it is inherently required that servers use the common protocol across distinct domain if information is to transfer from one server to the other, even servers across domain that are not cooperating to each other still needs to use common protocol in order to share information).

M) Regarding to claim 43, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said state information is stored within one or more cookies (see Fig. 2, item step 72 and page 7, lines 6-7).

N) Regarding to claim 44, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said computer readable program code means for causing a computer to share comprises:

computer readable program code means for causing a computer to add state information of said first domain to a request to be sent to said second domain and computer readable program code means for causing a computer to send said request, including said state information, to said second domain (see page 4, lines 18-27, page 7, lines 1-8 and lines 20-23, cooperating server here refers to web site servers observing the common protocol. In the World Wide Web, it is inherently required that servers use the common protocol across distinct domain if information is to transfer from one server to the other, even servers across domain that are not cooperating to each other still needs to use common protocol in order to share information).

O) Regarding to claim 45, Rosenberg discloses the article of manufacture of state information as set forth in claim 42. Rosenberg further discloses said computer readable program code means for causing a computer to share comprises:

computer readable program code means for causing a computer to add state information

of said first domain to a response associated with said second domain; and computer readable

program code means for causing a computer to send said response, including said state

information, to a client (see page 4, lines 24-30).

P)   Regarding to claim 46, Rosenberg discloses the article of manufacture of state

information as set forth in claim 45. Rosenberg further discloses computer readable program code

means for causing a computer to save said state information at said client, wherein said state

information is saved for a specified range of Uniform Resource Locators associated (URL) with

said second domain (see page 12, lines 8-10).

4)   Claim 18-19, 38-39, 50 are rejected under 35 U.S.C. 102(a) as being anticipated by

Giacoppo ("http://www.dejanews.com", Forum: comp.lang.java.annouce, Thread:

ad/soft/CheckOut - shopping cart applet, 8/8/97).

A)   Regarding to claim 18, Giacoppo discloses a method of electronic shopping, said method

comprising:

selecting, by purchaser, a plurality of items to be purchased electronically from a plurality

of vendors, said plurality of vendors being represented by plurality of web sites; and

purchasing said plurality of items on-line via a single check out wherein an indication of said plurality of items to be purchased need not be moved, by said purchaser, between said plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destinated database until shoppers ready for checkout. page 2, 2rd paragraph, lines 3-6 teaches that destinated server can be any server on the Internet which includes a third trusted party (intermediate application or proxy server), therefore the limitation is met).

B)   Regarding to claim 19, Giacoppo discloses an electronic shopping method as set forth in claim 18. Giacoppo further discloses said electronic shopping comprising placing said selected plurality of items in a shared shopping cart, said shared shopping cart being shared between said plurality of web sites (see pages 1 and 2).

C)   Regarding to claim 38, Giacoppo discloses a system of electronic shopping, said system comprising:

means for selecting, by a purchaser, a plurality of items to be purchased electronically from a plurality of vendors, said plurality of vendors being represented by plurality of web sites; and

means for purchasing said plurality of items on-line via a single check out, wherein an indication of said plurality of items to be purchased need not be moved by said purchaser,

between said plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destinated database until shoppers ready for checkout. Page 2, 2rd paragraph, lines 3-6 teaches that destinated server can be any server on the Internet which includes a third trusted party (intermediate application or proxy server), therefore the limitation is met)

D)   Regarding to claim 39, the claimed invention has the similar limitations as claim 19 and therefore the same rejection applied.

E)   Regarding to claim 50, Giacoppo at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by machine to perform a method of electronic shopping, said method comprising:

selecting, by a purchaser, a plurality of items to be purchased electronically from a plurality of vendors, said plurality of vendors being represented by plurality of web sites (see pages 1-2); and

purchasing said plurality of items on-line via a single check out, wherein an indication of said plurality of items to be purchased need not be moved, by said purchaser, between said plurality of vendors (see page 1 and 2, when purchasing items in a virtual mall with a single checkout, it is inherent that purchasing list is tracked by shopping cart (cookie program) and stored in a destinated database until shoppers ready for checkout. page 2, 2rd paragraph, lines 3-6

teaches that destinated server can be any server on the Internet which includes a third trusted

party (intermediate application or proxy server), therefore the limitation is met)).

Claim Rejections - 35 USC § 103

5)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4)   Claims 5, 8, 10, 11-17, 25, 28, 30-37, 47-49 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rosenberg (WO 98/09447) in view of Davis et al. (hereinafter Davis) (U.S.

Patent No. 5,796,952).

A)   Regarding to claim 5, Rosenberg discloses the method of sharing state information as set

forth in claim 4. Rosenberg fails to disclose said sharing further comprises receiving, by an

intermediary application, said request from a client prior to said adding, and wherein said adding

and said sending are performed by said intermediary application. However, Davis discloses an

intermediary application receive said request from a client prior to said adding and wherein said

adding and said sending are performed by said intermediary application (see col. 4, lines 37-40

and lines 55-58, Fig. 5, intermediate application, client, receives request from server A and

transmits information to server B). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because the intermediary applicant helps managing and tracking state information collected from the clients.

B)   Regarding to claim 8, Rosenberg discloses the method of sharing state information as set forth in claim 1. Rosenberg fails to disclose said sharing is controlled by an intermediary application. However, Davis discloses an intermediary application control sharing of state information between the client and the server (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the intermediary application of Davis with the method of sharing state information of Rosenberg. One would be motivated to do so because having the intermediary application helps managing and tracking state information gathered from the clients.

C)   Regarding to claim 10, Rosenberg discloses the method of sharing state information, said method comprising:

        determining state information to be provided to at least one of a client application and a server application (see Fig. 7); and

Rosenberg fails to disclose using an intermediary application to provide said state

information to at least one of said client application and said server application. However, Davis

discloses an intermediary application receive said request from a client application (server A) prior

to said adding and wherein said adding and said sending are performed by said intermediary

application (see Fig. 5, intermediate application, client, between server A and server B, col. 4,

lines 37-40 and lines 55-58). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to include the intermediary application of Davis with the method of

sharing state information of Rosenberg. One would be motivated to do so because the

intermediary application helps managing and tracking information gather from the clients.

D)   Regarding to claim 11, Rosenberg in view of Davis discloses the method of sharing state

information as set forth in claim 10. Rosenberg fails to disclose receiving, by said intermediary

application, a request from said client; and sending a response to said request from said

intermediary application to said client, said response including said state information. However,

Davis discloses an intermediary application receive said request from a client and sending a

response to said request from said intermediary application to said client, said response including

said state information. are performed by said intermediary application (see col. 4, lines 51-63). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

include the intermediary application of Davis with the method of sharing state information of

Rosenberg. One would be motivated to do so because the intermediary application helps

managing and track state information gathered from the clients.

E)   Regarding to claim 12, Rosenberg in view of Davis discloses the method of sharing state

information as set forth in claim 10 above. Rosenberg further disclose said state information is

provided to said client and wherein said method further comprises saving said state information at

said client for any specified range of Uniform Resource Locators (see page 4, lines 24-30 and

page 12, lines 8-10).

F)   Regarding to claim 13, Rosenberg in view of Davis discloses the method of sharing state

information as set forth in claim 12 above. Rosenberg further fails to disclose said state

information saved at said client to said intermediary application. However, Davis discloses said

state information track at said client automatically sends the information acquired from the client

back to a server for storage and analysis (see col. 4, lines 37-39) Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to combine Davis's

intermediary application with Rosenberg's method of tracking state information. One would have

been motivated to do so because it would help better managing and tracking state information

gathered from the clients.

G)   Regarding to claim 14, Rosenberg in view of Davis discloses the method of sharing state

information as set forth in claim 12 above. Rosenberg further discloses saving said state

information for one or more other range of Uniform Resource Locators (see col. 12, lines 8-16).

H)   Regarding to claim 15, Rosenberg in view of Davis discloses the method of providing

state information as set forth in claim 10 above. Rosenberg further discloses adding said state

information to a request for said server (see page 4, lines 23-24).

I)   Regarding to claim 16, Rosenberg in view of Davis discloses the method of providing

state information as set forth in claim 10 above. Rosenberg further discloses in Prior Art section

adding state information to a response for said client (see page 3, line 19-20).

J)   Regarding to claim 17, Rosenberg in view of Davis discloses the method of providing

state information as set forth in claim 10 above. Rosenberg further discloses saving, by said

client, said state information for a specified range of Uniform Resource Locators (see page 12,

lines 8-10).

K)   Regarding to claim 25, Rosenberg discloses the system of sharing state information as set

forth in claim 24. Rosenberg fails to disclose said sharing further comprising an intermediary

application adapted to receive said request from a client prior to said adding, and adapted to add

said state information to said request and to send said request. However, Davis discloses

intermediary application adapted to receive said request from a client prior to said adding, and

adapted to add said state information to said request and to send said request (see col. 4, lines 37-

40 and lines 55-58). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to include the intermediary application of Davis with the system

means of sharing state information of Rosenberg. One would be motivated to do so because the

intermediary applicant would helps managing and tracking state information collected from the

clients.

L)   Regarding to claim 28, Rosenberg discloses the system of sharing state information as set

forth in claim 22. Rosenberg fails to disclose said sharing comprises an intermediary application.

However, Davis discloses an intermediary application monitors sharing of state information

between the client and the server (see col. 4, lines 37-40).   It would have been obvious to one of

ordinary skill in the art at the time the invention was made to include the intermediary application

of Davis with the system means of sharing state information of Rosenberg. One would be

motivated to do so because having the intermediary application helps managing and tracking state

information collected from the clients.

M)   Regarding to claim 30, Rosenberg discloses the system of sharing state information, said

system comprising:

        means for determining state information to be provided to at least one of a client and a

server (see Fig. 7); and

Rosenberg fails to disclose an intermediary application adapted to provide said state

information to at least one of said client and said server. However, Davis discloses an

intermediary application adapted to provide said state information to at least one of said client and

server (see Fig. 5, intermediate application, client, between server A and server B, col. 4, lines 37-

40 and lines 55-58, col. 4, lines 51-59). It would have been obvious to one of ordinary skill in the

art at the time the invention was made to include the intermediary application of Davis with the

system means of sharing state information of Rosenberg. One would be motivated to do so

because the intermediary application helps managing and tracking information gather from the

clients.

N)   Regarding to claim 31, Rosenberg in view of Davis discloses the system of sharing state

information as set forth in claim 30. Rosenberg fails to disclose receiving a request from said

client; and sending a response to said client, said response including said state information.

However, Davis discloses an intermediary application receive said request from a client and

sending a response to said request to the client (see col. 4, lines 51-54). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to include the

intermediary application of Davis with the system means of sharing state information of

Rosenberg. One would be motivated to do so because the intermediary application helps

managing and track state information gathered from the clients.

O)   Regarding to claim 32, the claimed invention has the similar limitations as claim 12 and therefore the same rejection applied.

P)   Regarding to claim 33, the claimed invention has the similar limitations as claim 13 and therefore the same rejection applied.

Q)   Regarding to claim 34, the claimed invention has the similar limitations as claim 14 and therefore the same rejection applied.

R)   Regarding to claim 35, the claimed invention has the similar limitations as claim 15 and therefore the same rejection applied.

S)   Regarding to claim 36, the claimed invention has the similar limitations as claim 16 and therefore the same rejection applied.

T)   Regarding to claim 37, the claimed invention has the similar limitations as claim 17 and therefore the same rejection applied.

U)   Regarding to claim 47, Rosenberg discloses an article of manufacture comprising:

at least one computer useable medium having computer readable program code means embodied therein for causing the providing of state information, the computer readable program code means in said article of manufacture comprising:

computer readable program code means for causing a computer to determine state

information to be provided to at least one of a client application (client) and a server application

(server) (see page 7, lines 10-24);

Rosenberg fails to disclose a computer readable program means for causing a computer to

use an intermediary application to provide said state information to at least one of said client and

said server. However, Davis discloses an intermediary application receive said request from a

client (see Fig. 5, server A) prior to said adding and wherein said adding and said sending are

performed by said intermediary application (see Fig. 5, intermediate application, client, between

server A and server B, col. 4, lines 37-40 and lines 55-58 col. 4, lines 37-40 and lines 55-58). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

include the intermediary application of Davis with the method of sharing state information of

Rosenberg. One would be motivated to do so because the intermediary application helps

managing and tracking information gather from the clients.

V)   Regarding to claim 48, Rosenberg in view of Davis discloses an article of manufacture,

comprising state information as set forth in claim 47. Rosenberg further discloses said state

information is provided to said client and wherein said article of manufacture further comprises

computer readable program code means for causing a computer to save said state information at

said client for any specified range of Uniform Resource Locators (see page 4, lines 24-30 and

page 12, lines 8-10).

X)   Regarding to claim 49, Rosenberg in view of Davis discloses the article of manufacture of

state information as set forth in claim 48, Rosenberg further discloses a computer readable

program code means for causing a computer to save said state information for one or more other

range of Uniform Resource Locators (see col. 12, lines 8-16).

6)   Claim 9 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg

(WO 98/09447) in view of Susuki et al. (U.S. 5,946,665).

A)   Regarding to claim 9, Rosenberg discloses the method of sharing state information as set

forth in claim 1. Rosenberg further discloses said sharing said state information is representative

of at least one of the following:

        a)   login credentials to be used when accessing said first domain and said second

domain (see Fig. 7). Rosenberg fails to disclose:

        b)   items to be purchased in an on-line virtual shopping mall, wherein said first domain

represents a first vendor of said on-line virtual shopping mall and said second domain represents a

second vendor of said on-line virtual shopping mall. However, Suzuki disclose items to be

purchased in an on-line virtual shopping mall, wherein said first domain represents a first vendor

of said on-line virtual shopping mall and said second domain represents a second vendor of said

on-line virtual mall (see Fig. 11, item 1-4). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine the virtual shopping mall of

Susuki with the sharing state information of Rosenberg. One would have been motivated to do so

because sharing state information can help vendors keeping track of consumer's on-line shopping

that leads to purchases (i.e. shopping cart where shoppers browse through the virtual stores and

items picked are collected in the shopping cart).

B)   Regarding to claim 29, the claimed invention has the same limitations as claim 9 and

therefore the same rejection applied.

7   Claim 20 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giacoppo

("http://www.dejanews.com", Forum: comp.lang.java.annouce, Thread: ad/soft/CheckOut -

shopping cart applet, 8/8/97) in view of Krick ("A cookie for your thoughts: cookies help

Webmasters harness user habits. (Internet /Web/Online Service Information) (Tutorial)",

Computer Shopper, v17, n7, p610(1)).

A)   Regarding to claim 20, Giacoppo discloses an electronic shopping method as set forth in

claim 19. Giacoppo did not disclose said shared shopping cart comprises one or more cookies

representing said plurality of items to be purchased. However, Krick discloses one or more

cookies representing said plurality of items to be purchased (see page 2, lines 47). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to

combine the use of cookie of Krick with the electronic shopping method of Giacoppo. One

would be motivated to do so because cookies helps keep track of shoppers' selected items as .

they browse and stored in the shopping cart until they are ready to purchase.

B)   Regarding to claim 40, the claimed invention has the similar limitations as claim 20 and

therefore the same rejection applied.

8)   Claim 21 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giacoppo

("http://www.dejanews.com", Forum: comp.lang.java.annouce, Thread: ad/soft/CheckOut -

shopping cart applet, 8/8/97) in view of Davis et al. (U.S. Patent No. 5,796,952).

A)   Regarding to claim 21, Giacoppo discloses an electronic shopping method as set forth in

claim 19. Giacoppo did not disclose said placing is controlled by an intermediary application

coupled to said web sites. However, Davis discloses said placing is controlled by an intermediary

application that monitor client's activity on-line (see col. 4, lines 50-51). Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to include the

intermediary application of Davis with Giacoppo's electronic shopping method. One would be

motivated to do so because the intermediary applicant would help managing the shopping history

for the shoppers.

B)   Regarding to claim 41, the claimed invention has the similar limitations as claim 21 and

therefore the same rejection applied.

Response to Arguments

9.   Applicant's arguments filed 5/1/2000 have been fully considered but they are not

persuasive. Therefore, Examiner maintains the rejections.

Conclusion

10.   Claims 1-50 are rejected.

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any response to this action should be mailed to:

> Commissioner of Patents and Trademarks
> Washington, D.C. 20231

or faxed to: ‿

> (703) 305-9051, (for formal communications intended for entry)

Or:

> (703) 305-0040, (for informal or draft communications, please label
> "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021
Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Tongoc Tran, whose telephone number is (703) 305-8967 and whose e-mail
address is Tognoc.Tran@uspto.gov. The examiner can normally be reached on Monday through
Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Todd Voeltz, can be reached at (703) 305-9714. The fax phone number for this Art
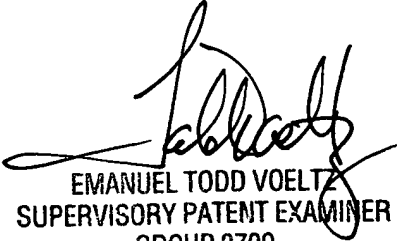Unit is (703) 305-0040.

Art Unit: 2761

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TT
19Jul00

EMANUEL TODD VOELTZ
SUPERVISORY PATENT EXAMINER
GROUP 2700

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Verlene D. Green
Supervisory Legal Instruments Examiner
Phone Number: (703) 305-4376

Earline Green
Supervisory Legal Instruments Examiner
Phone Number: (703) 305-4901

Fax No. (703) 308-9051 or (703) 308-9052

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